Georgia RII
Khevsur, Pschv,
Tushin

C. G. [713]

Some had the sign of the cross upon their shields, so that they looked exactly like medieval European knights and Crusaders. Up in the country of the Khevsurs a few very ancient churches can be found; near these, often isolated, stand some typically Khevsurian tomb structures or burial chapels unique in the Caucasus. Funeral ceremonies held by the Khevsurs are (or were ?) often accompanied by horse races, an ancient custom of horse-breeding nomads of the steppes. (This custom is reminiscent of the "dokhia" [δόχια] of some Turkic tribes in the plains near the Altai, described by the Byzantine envoy Menandros Protector, who was sent in 568 to the Great-Khan of the Türküt in the Altai region, a territory which is now part of northwestern Mongolia.) Perhaps the Khevsurs borrowed this custom from the Alans, the nomadic ancestors of the present-day Oset'i.

C. G. 714 171

S'vanet'ians

C. G. 162 101

Another K'art'velian group which in its mountainous seclusion has preserved numerous ancient customs and traditions is the Svans (or Shvan, Strabon's Soanes [Σοάνες]), who live in the high valleys of the Ingur and Ts'khenis-Tskhali, just south of the central high massifs of the Caucasus, between Gvandra and Shkhara. Their language is the most archaic of all the K'art'velian tongues. The Svans are outstanding for their height; two meters is not rare.

C. G. [141]

DEATH

764 765 Throughout the Caucasus, the dead were held in high regard, and the funeral and memorial customs were quite elaborate. More or less ubiquitous features were wailing-women who wept not only over the deceased, but also over his clothing and arms, scratching their faces and tearing out their hair; further, funeral receptions, and a number of memorial repasts (among the Khevsur up to twelve) held at different intervals after the death, among the mountaineers usually accompanied by various contests on horseback. Among the mountaineers, in spite of the general spread of Christianity or Islam, many features of the pagan past survived, among others the [775] belief that the deceased had to make a long trip to the other world, that over there he needed food, his horse, the care of his wife, etc. The horse of the deceased played an important role in the funeral rites; among the Khevsur it was further cared for by a relative for the benefit of the deceased. Food and sometimes weapons were buried along with the dead; among the Circassians his wife would serve a portion for him at meals for a year; and the Ossetian widow for the same period would bring food to the grave of her husband every Friday, besides numerous other observances.

8: Lužbetak E-4 (no date) 1951 RHI Caucasia RHI

The *Lesghians*, who are geographically and linguistically related to the Chechens, likewise countenance polygamous marriages, but, here polygyny is a privilege that has always been reserved for a few. It is to be noted that these privileged personages seldom espouse more than two women.[13]

The largest and the most important people of the Lesghian group are the Avars. Speaking of these people, L'vov tells us expressly that only relatively few men can boast of two or at most three wives.[14]

The Lesghians were the first to be Islamized and their conversion was the most thorough. The Laks, for example, accepted the Koran as early as the 116th year of the hegira A. D. 777. By the end of the ninth century Mohammedanism was firmly rooted among the Daghestanian mountaineers.[15]

Hence, to discover the pre-Islamic condition of the Lesghians, we must go to the early Persian and Arabian writers. They inform us that when Islamism was introduced into Daghestan, the people were all followers of Zoroastrianism. These reports are confirmed by the fact that today there are still not a few traces of Avestic teaching in the Caucasus and in Daghestan in particular.[16] Attempts to Christianize the Daghestanians had been made at first by Armenian, Georgian, and Byzantine missionaries, then, in the thirteenth century by the Roman Catholic Church.[17] But in spite of all Christian missionary activity, pre-Islamic Daghestan must be classified as Avestic.

Polygyny is in full accord with Zoroastrianism, no less than with Mohammedanism, and therefore there is no reason why we should place plural marriages in the Mohammedan period and exclude them from Avestic times. Ahura Mazda Himself is supposed to have had a number of wives, and Zoroaster, his Prophet, according to tradition, had three. In fact, Avesta (Vend. iii. 3) actually encourages polygyny by teaching that in the household of the just, "both women and children abound" (Geiger, *Ostiranische*, pp. 244, 247). Polygyny was ex-

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[13] M. Kovalevskij, *Zakon*, II, p. 166.

[14] N. L'vov, "Domašnaja i semejnaja žizn dagestanskich gorcev avarskago plemeni," SSKG, III (1870), p. 20.

[15] For the Islamization of Daghestan see R. Erckert, *Der Kaukasus*, pp. 152—156; for the conversion of the Laks see Said Gabiev, "Laki, ich prolloe i byt," SMOMPK, XXXVI (1906), p. 14.

[16] Abû Ḥamîd el-Andalûsî writes about the Lesghians: "They have no religion, and pay no taxes. If a man dies they hand him over to men in houses under the earth, who cut up the members of the deceased, remove the flesh entirely from the bones, collect it together on one side, and give it to ravens to devour; they stand near with bows to keep off other birds from eating any of the flesh. If a woman dies they hand her over to other men (*var.* women) under the earth, who remove her bones, and give her flesh to vultures, while they stand by with knives to hinder other birds from approaching the flesh." Abû Ḥamîd el-Andalûsî is here referring to the Kubachi, a Dargwa-speaking people. J. Abercromby, *A Trip through the Eastern Caucasus*, p. 290. Of the Colchi Aelian writes in his *Historical Miscellanies*, iv. 1 (c. A. D. 200), "The Colkhi place their dead into skins and sew them up and then hang them up in trees." Both of these practices are traces of Zoroastrianism. "To bury a body," according to Sir Denison Ross, "would defile the pure earth, which is one of the gifts of Ahuramazda, and to burn it would defile his symbol, the Sacred Fire. Bodies are therefore exposed on towers (*dkhma*) specially constructed for the purpose, to be devoured by birds of prey." (Cited by Henry Field, *Contributions to the Anthropology of Iran*, Anthropological Series Field Museum of Natural History, Chicago, December 15, 1939.)

[17] J. F. Baddeley, *op. cit.*, II, p. 39.

8: Lužbetak E-4 (no date) 1951 RHI Caucasia RHI

Chapter VIII

Dissolution of Marriage

§ 1. BY DEATH

Marriages of widows and widowers are looked upon by all Caucasians as inferior to nuptials between partners who have never been married before. For example, the bride price for a widow is smaller than that for a maiden,[1] except among the Nazranian Chechens and the Ingiloi of Sakataly; or again, the very marriage ceremonies are simplified when one of the partners happens to be a widow or widower.[2] The Pshavs[3] and the Khevsurs[4] consider a second marriage shameful if the widow has a child, especially, as is the case with the Khevsurs, a son. Our present problem is: Are there any indications in ancient customary law that at one time not even death could dissolve the marriage bond?

1. Suttee

The custom of committing suttee on the funeral pyre was very probably a relatively widespread custom in the Caucasus in ages past. The funeral rites of today still bear traces of widows being burnt together with their husbands' corpses.[5] Al-Mas'ûdî, in his "Golden Meadows and Mines of Precious Stones" (A.D. 943) mentions that the Khazars of Caucasus "burn the dead with their cattle, instruments, and ornaments. If the husband dies, the wife is burnt alive together with the corpse of her husband."[6] An example of what might be a survival of widow cremation is the now meaningless but constantly repeated wail of the Ossetine widow, "I'll kill myself and cast myself into the fire," mentioned by Gatiev in his "Beliefs and Prejudices of the Ossetes."[7] Another possible vestige of former suttee is the custom of burying a plait of the widow's hair together with the corpse of her husband. Herodotus expressly mentions (ch. v.) that the Scythian women were eager to be immolated on the grave of their husbands. The probable existence of widow cremation in the

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[1] Cf. *supra*, Table, p. 89.

[2] Cf. *supra*, p. 121.

[3] Makalatija, "Iz starogo narodnogo byta plavov," SE, 1938, No. 1, p. 110.

[4] Eristov, *op. cit.*, p. 113.

[5] R. Bleichsteiner, "Rossweihe und Pferderennen im Totenkult der kaukasischen Völker," *Wiener Beiträge*, IV (1936), p. 414. "Daß in längst verflossenen Zeiten die Frau ihrem dahingegangenen Gatten als Opfer nachgesendet wurde, dafür gibt es im Totenritual der Kaukasusvölker eine Reihe beachtenswerter Anhaltspunkte."

[6] Translation from Abich, Klaproth, Beschreibung der russ. Provinzen, etc., p. 197.

[7] Gatiev, *op. cit.*, p. 3.

581 764 Caucasus clearly shows that the peoples of North Caucasia believed that a marriage tie could continue in the next world. However, since we do not have the slightest evidence that suttee was *obligatory*, the most we can say is that *perhaps*, at one time, death could not dissolve marriage.

2. Levirate

587 Once an Ossetine woman was married, she was considered bound to her husband forever unless divorced, as is evident from the following remarkable facts. (1) The widow was not allowed to marry outside her husband's family; the father or brother or son of the deceased man was obliged to take her to wife, but this second marriage was considered merely a *continuation* of the first. (2) The children of the second marriage were regarded as the sons and daughters of the *deceased*. (3) The children received the name of the deceased. (4) If the [589] widow had no brother-in-law, father-in-law or step-son, she had to remain unmarried, or live in concubinage, the children born becoming the sons and daughters of the deceased, even the legal heirs of the deceased. The marriage and concubinage had only one purpose: to "raise seed" and "build up the house" of the deceased till the wife would once again join him in the other world. These facts seem to be sufficient proof for the indissolubility of marriage even by death! Unfortunately, we do not have such details about the ancient levirate of the other peoples living in the Caucasus. However, when treating of preferential mating we did find obligatory levirate among the Ingushi and came to the conclusion that most probably the levirate was formerly obligatory also among the other mountain tribes.[8] In a word, it is quite *possible* that at one time death did not dissolve a marital bond.

§ 2. BY DIVORCE

596 The *adats* of all mountain peoples of Caucasus permit divorce. When speaking of divorce we must make a very clear distinction between the rights of the *husband* and those of the *wife*, between a *valid* divorce and a *justifiable* divorce.

[849] The NORTHWESTERN CAUCASIANS. According to reports of the eigtheenth century, a wife might be desmissed in Abkhazia if she were "sterile," that is, if she did not give birth to a child before she was 30, or if she remained childless for five successive years.[9] However, a *valid* divorce is possible at will. The Temirgoi, for example, may divorce their wives "if they do not please their husbands."[10] Such is the case throughout Abkhazia and among the Cherkess today.[11] Although formerly the women in Northwest Caucasus were at a very great disadvantage in regard to divorce, today, they too may abandon their husbands without any special legal grounds. However, in such arbitrary

[8] Cf. *supra*, p. 73.
[9] Reineggs, *op. cit.*, Part II, p. 9.
[10] Vasil'kov, "Očerk byta Temirgoevcev," SMOMPK, XXIX (1901), p. 101.
[11] Cf. Ladvlenskij, FT, p. 199.

unjust death penalty. (5) Finally, the adulteress was merely divorced; she lost her right to the *kebin*, while the *kalym* had to be returned to the husband. The adulterer was obliged to pay a fine.

Amputation of the adulteress' ears and nose is a punishment found in the *adats* of all Caucasians. It is interesting to note that a Hittite code (about 1350 B. C.) engraved on a stele has been dug up, which expressly legalized such mutilation in case of adultery.[66] This code may be based on a substratum of customary laws which are now preserved in the isolated *auls* of the Caucasus.

2. Motives

The main motives for punishing sexual offenses seem to be: (1) in case of defloration, the girl loses her value and consequently the family suffers a great economic loss;[66] (2) there is a serious danger of a stranger being born into the sacred sanctuary of the home and later treated as a legitimate member and even as head of the family (*supra*, p. 126).

3. Reports regarding Sexual Laxity of the Caucasians

In view of such severe penalties as we have described above, we cannot help being suspicious about some of the reports regarding laxity of morals among the mountain tribes of the Caucasus. The Kuban Cherkess are supposed to have formerly been proud of the fact that their wives attracted other men. Every woman had to have a lover to prove her true value.[67] Longworth's report, to mention but another example, contrasts the scrupulousness after marriage with "their unconstrained demeanor before marriage."[68] "The maidens of Circassia are allowed a latitude in their behaviour which is elsewhere unknown; not only do they talk and dance with the other sex, but when they please, they exercise their blandishments to an extent that to a stranger is no less perplexing than agreeable."[69] Then there are the many reports about public religious hetaerism. Interiano claims that at funerals of prominent personages a very strange sort of sacrifice takes place: a girl of 12 to 14 years of age is placed upon a skin of an ox that has just been slaughtered and in the presence of men and women a robust young man of the community must try to deflower her. After several failures, the young man promises to marry her (or makes some other promises), and then the girl usually consents.[70] There are also the reports about sexual hospitality, for example, in the "Relation du Sieur Ferrand médicin du Khan des Tatares, touchant la Crimée, les Tartares-Nogaies et ce qui se passe au serail du dit Khan,"[71] in *Voyage historiques et géographique dans les pays situé entre la Mer Caspienne par Edouard Barbier du Bocage et de Baert*, as well as in the

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[66] H. C. E. Zacharias, *Protohistory*, p. 258.
[67] *Supra*, pp. 126 f.
[68] Dirr, AGKB, pp. 81 f.
[69] Longworth, *A Year among the Circassians*, I, p. 286.
[70] Longworth, *op. cit.*, I, p. 216.
[71] Ladyženskij, FT, p. 183, Dirr's note.
[72] In *Recueil des Voyages au Nord*, Amsterdam, 1718.